

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

PATRICIA KAMMEYER, et al.	:	Case No. C-1-01-649
Plaintiffs	:	Spiegel, J.
vs.	:	Sherman, J.
CITY OF SHARONVILLE, et al.	:	MOTION FOR EXTENSION OF
Defendants	:	TIME TO SUPPLEMENT
	:	RESPONSE TO DEFENDANTS
	:	MOTION FOR SUMMARY
	:	JUDGMENT (DOC <u>195, 186, 190</u>)
	:	
	:	
	:	

Plaintiffs request until February 7, 2005 to supplement their opposition and/or report to the Court on additional discovery that may be needed for completing their opposition to the defendants' motion for summary judgment on the statute of limitations.

MEMORANDUM

This Court granted plaintiffs until January 21, 2005, to conduct discovery and supplement their response to defendants' motion for summary judgment based on statute of limitations. (Doc. 195). During that time plaintiffs intended to depose former prosecutor Simon Leis, former assistant prosecutor Terry Gaines and investigator John Jay. The order permitting those depositions has been appealed and the depositions have not yet been accomplished. The deposition of Dale Dorning is scheduled for January 31, 2005. That deposition may provide plaintiffs with enough information regarding the issues raised in the motion for summary

judgment. Further, plaintiffs intend to oppose the motion for stay of the order permitting the depositions to go forward so they may be able to accomplish the depositions nonetheless.

Respectfully submitted,

s/ Alphonse A. Gerhardstein
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Certificate of Service

I here by certify that on January 21, 2005, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to all parties for whom counsel has entered an appearance by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s/ Alphonse A. Gerhardstein
Alphonse A. Gerhardstein